

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau
 Serial No. : 09/865,785
 Filed : May 25, 2001
 Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING
 INFLAMMATION OF MUCOSAL TISSUE

Art Unit : 1614
 Examiner : K. Weddington

Commissioner for Patents
 Washington, D.C. 20231

TECH CENTER 1600/2900

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TERMINAL DISCLAIMER UNDER 37 CFR §§ 3.73(b) AND 1.321(b)

Pursuant to 37 CFR § 3.73(b), Mayo Foundation for Medical Education and Research, certifies that it is the assignee of the entire right, title, and interest in the above-captioned application by virtue of an assignment from the inventor of the patent application captioned above. The assignment was submitted for recordation in the U.S. Patent and Trademark Office on June 14, 2002, and a copy of the submitted assignment documents is attached for your reference.

The undersigned has reviewed all the documents in the chain of title of the above-captioned application, and to the best of undersigned's knowledge and belief, title is in Mayo Foundation for Medical Education and Research.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR § 1.321(b), and to obviate an obviousness-type double patenting rejection, Mayo Foundation for Medical Education and Research hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-captioned application subsequent to the expiration date of U.S. Patent No. 6,291,500. Further, any patent granted on the above-captioned application shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent No. 6,291,500.

Mayo Foundation for Medical Education and Research does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term of U.S. Patent No. 6,291,500 in the event that U.S. Patent No. 6,291,500 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally

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disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Mayo Foundation for Medical Education and Research does not disclaim any available patent term extensions for any patent granted on the above-captioned application.

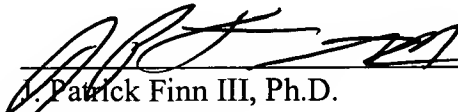
This disclaimer runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 07039-129002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-captioned application or any patent issued thereon.

Respectfully submitted,

Date: July 3, 2002


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